

AMENDED IN ASSEMBLY MAY 8, 2013
AMENDED IN ASSEMBLY MARCH 19, 2013
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 293

Introduced by Assembly Member Allen

February 11, 2013

An act to add *and repeal* Chapter 5 (commencing with Section 26230) ~~to of~~ Division 16.3 of, ~~and to repeal Section 26232 of,~~ the Public Resources Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 293, as amended, Allen. Energy: California Clean Energy Jobs Act: implementation.

The California Clean Energy Jobs Act, an initiative enacted by voters at the November 6, 2012, statewide general election as Proposition 39, establishes the Clean Energy Job Creation Fund and requires moneys in the fund be available for appropriation during specified fiscal years for the purposes of funding specified energy-related projects in school facilities and other public facilities and projects related to job training and workforce development for energy efficiency and clean energy projects, and providing assistance to local governments in establishing public-private partnerships that provide specified financial and technical assistance for cost-effective retrofits.

This bill would require the State Energy Resources Conservation and Development Commission, in consultation with the Public Utilities Commission and other appropriate state agencies, to develop a program to award financial assistance for the above-described purposes. The bill would require the State Energy Resources Conservation and

~~Development Commission, on or before July 1, 2016, to submit to the Legislature a report on the progress of the program, the applicants for funding, the exact disbursements of funds and to whom, and recommendations to improve the allocation of moneys in the fund. to administer grants, loans, or other financial assistance to eligible entities for the purpose of funding eligible projects that create jobs in California by reducing energy demand and consumption, to establish criteria for the award of grants, loans, or other financial assistance that include specified matter, and to maintain a public database of the eligible entities that receive grants, loans, or other financial assistance through the program. The bill would require that any eligible entity applying to the commission for a grant, loan, or financial assistance solely to install a clean energy generation project demonstrate to the commission that the entity has implemented all cost-effective energy efficiency and demand response improvements. The bill would require that an eligible entity receiving a grant, loan, or other financial assistance from the Clean Energy Job Creation Fund, submit a report to the Citizens Oversight Board, no sooner than one year and not later than 15 months after receiving the award, that includes specified information, and would require the Citizens Oversight Board to annually report the information it receives to the Legislature as part of its existing reporting responsibilities and to post the report on a publicly accessible Internet Web site. The bill would repeal these requirements on January 1, 2021.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 5 (commencing with Section 26230) is
2 added to Division 16.3 of the Public Resources Code, to read:

3
4 CHAPTER 5. IMPLEMENTATION

5
6 26230. For the purposes of this chapter, “commission” means
7 the State Energy Resources Conservation and Development
8 Commission.

9 26231. The commission, in consultation with the Public
10 Utilities Commission and other state agencies deemed appropriate
11 by the commission, shall develop a program to award funding, on

1 a competitive basis, for purposes specified in Section 26205 in
2 accordance with the requirements of Section 26206.

3 ~~26232. (a) On or before July 1, 2016, the commission shall~~
4 ~~submit to the Legislature, pursuant to Section 9795 of the~~
5 ~~Government Code, a report on the progress of the program~~
6 ~~developed pursuant to Section 26231, the applicants applying for~~
7 ~~funding under the program, the exact disbursement of funds and~~
8 ~~to whom, and recommendations to improve the allocation of~~
9 ~~moneys in the Job Creation Fund.~~

10 ~~(b) Pursuant to Section 10231.5 of the Government Code, this~~
11 ~~section is repealed on January 1, 2021.~~

12 *26232. (a) The commission shall administer grants, loans, or*
13 *other financial assistance to eligible entities for the purpose of*
14 *funding eligible projects that create jobs in California by reducing*
15 *energy demand and consumption in accordance with this section.*

16 *(b) The commission shall establish criteria for the award of*
17 *grants, loans, or other financial assistance that include, but are*
18 *not limited to, all of the following:*

19 *(1) Standard methods for estimating energy benefits, including*
20 *reasonable assumptions for current and future costs of energy.*

21 *(2) Licenses, certifications, or other qualifications for*
22 *contractors applicable to the occupations that perform the work,*
23 *provided that the commission shall not create any new licensing,*
24 *certification, or qualifications pursuant to this paragraph.*

25 *(3) Limits for grants, loans, or other financial assistance for*
26 *each type of eligible project.*

27 *(c) The commission shall maintain a public database of the*
28 *eligible entities that receive grants, loans, or other financial*
29 *assistance through the program. The database shall include*
30 *relevant metrics, to be determined by the commission, for*
31 *electricity, gas, and cost savings of the projects.*

32 *(d) (1) Any incentives available from federal, state, and local*
33 *government, from a public utility, or another source used by the*
34 *entity awarded a grant, loan, or financial assistance, shall be used*
35 *to reduce the amount of the grant, loan, or financial assistance*
36 *awarded.*

37 *(2) The sum of all incentives, grants, loans, or financial*
38 *assistance received by the entity, including grant, loan, or financial*
39 *assistance awarded pursuant to this chapter shall not exceed the*
40 *total cost of the eligible project.*

1 (e) Any eligible entity applying to the commission for a grant,
2 loan, or financial assistance solely to install a clean energy
3 generation project shall demonstrate to the commission that the
4 entity has implemented all cost-effective energy efficiency and
5 demand response improvements.

6 26233. (a) Not sooner than one year and not later than 15
7 months after an eligible entity receives a grant, loan, or other
8 financial assistance from the Clean Energy Job Creation Fund,
9 the entity shall submit a report to the Citizens Oversight Board
10 created pursuant to Chapter 3 (commencing with Section 26210)
11 of Division 16.3 containing, to the extent applicable, all of the
12 following information:

13 (1) The number of jobs created. For purposes of reporting job
14 creation, the eligible entity shall report both the number of direct
15 full-time jobs created and the job years for each job created.

16 (2) The amount of energy saved.

17 (3) The amount of new clean energy generation installed.

18 (4) The number of trainees.

19 (5) The portion of the financial assistance provided that was
20 used for administrative costs.

21 (6) The amount of time between the award of financial assistance
22 and the completion of the project.

23 (b) The Citizens Oversight Board shall report the information
24 it receives pursuant to subdivision (a) to the Legislature, in
25 compliance with Section 9795 of the Government Code, as part
26 of its responsibilities pursuant to subdivision (d) of Section 26210.
27 The board's report shall be submitted annually, notwithstanding
28 Section 10231.5 of the Government Code. The report shall also
29 be posted on a publicly accessible Internet Web site.

30 26234. This chapter shall remain in effect only until January
31 1, 2021, and as of that date is repealed, unless a later enacted
32 statute, that is enacted before January 1, 2021, deletes or extends
33 that date.